

REMARKS

Applicants respectfully request reconsideration and allowance in view of the foregoing amendments and following remarks. In the Office Action, mailed April 7, 2008, the Examiner required restriction among four (4) groups of claims. By this amendment, claims 1-34 have been canceled without prejudice, no claims have been amended, and new claims 61-86 have been added. Following entry of these amendments, claims 35-86 will be pending in the application.

Restriction Response

Applicants provisionally elect to prosecute, with traverse, the claims drawn to Group III (claims 35-39 and 49-60) as defined by the Examiner in the Office Action. Applicants traverse the Examiner's restriction requirement.

Applicants at least traverse the Examiner's assertion that the claims from Group III (claims 35-39 and 49-60) and Group IV (claims 40-48) should be restricted as between them. As the Examiner notes, both of Groups III and IV deal with de/modulation and de/coding of two different data symbol streams. However, the Examiner alleges that Group IV includes spatial processing, while Group III does not. A quick review of the Group III independent claims (e.g., claim 35, 49 or 55) illustrates that the Examiner's allegation is inaccurate; Group III does include spatial processing. Further, Applicants note that the Group 4 claims 40-48 are receive versions of the transmit claims 35-39 from Group III. Applicants assert that that it is not overly-burdensome for the Examiner to search and examine related transmit and receive claims. Finally, Applicants note that Group III includes claims 49-60, which include transmit and receive claims. Therefore, Applicants assert that there is no serious search and/or examination burden on the Examiner to examine both of these Groups at the same time. Applicants respectfully request that the Examiner withdraw the restriction requirement between Group III and Group IV, and permit both sets of claims to proceed in this application.

Applicants reserve the right to file one or more divisional applications directed to all Groups of claims not made part of this application.

CONCLUSION

All objections and rejections having been addressed, it is respectfully submitted that this application is in condition for allowance and a Notice to that effect is earnestly solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Charge Statement: For this application, the Commissioner is hereby authorized to charge any required fees or credit any overpayment to Deposit Account 17-0026.

Respectfully submitted,
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